

tuted wholly or in part for the genuine Scuppernong wine which the articles purported to be. Misbranding of the products was alleged for the reason that the statement on the labels thereof, "Scuppernong Bouquet," was false and misleading, as it conveyed the impression that the products were true Scuppernong wines, that is to say, wines made from Scuppernong grapes, whereas in fact the products were not true Scuppernong wines made from Scuppernong grapes, but an imitation of said product prepared from other than Scuppernong grapes. Misbranding was alleged for the further reason that the products were labeled and branded so as to deceive and mislead the purchaser into the belief that said products were true Scuppernong wines, whereas in fact the same were not true Scuppernong wines, but mixtures prepared from grapes other than Scuppernong, which had been artificially colored and flavored in imitation of true Scuppernong wines.

On January 10, 1914, the defendant company entered a plea of nolo contendere to the indictment returned by the grand jury and the information filed by the United States attorney, and the court imposed a fine of \$1,500 and costs.

B. T. GALLOWAY, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., June 8, 1914.

3272. Adulteration and misbranding of vinegar. U. S. v. 120 Barrels of Vinegar. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 1509. S. No. 545.)

On May 19, 1910, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 120 barrels, purporting to contain fermented apple cider vinegar, remaining unsold in the original unbroken packages and in possession of the Leedom and Worrall Co., Butler, Pa., alleging that the product had been shipped on or about September 29, 1909, and November 23, 1909, by the Leroux Cider and Vinegar Co., West Toledo, Ohio, and transported from the State of Ohio into the State of Pennsylvania, and charging adulteration and misbranding in violation of the Food and Drugs Act. The product was labeled: "Premier Brand Fermented Apple Cider Vinegar Mfd. for The Leedom & Worrall Co. Butler, Pa."

It was alleged in the libel that the product was misbranded and an adulteration in violation of the Food and Drugs Act, and that it was not a pure cider vinegar, but that it consisted in whole or in part of a dilute solution of acetic acid or distilled vinegar and a product high in reducing sugars and foreign ash material, mixed and prepared in imitation of fermented apple cider vinegar.

On June 10, 1910, the said Leroux Cider and Vinegar Co., claimant, having admitted the allegations as regards misbranding and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimant upon payment of the costs of the proceeding and the execution of bond in the sum of \$500, in conformity with section 10 of the act.

B. T. GALLOWAY, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., June 8, 1914.

3273. Adulteration and misbranding of Russian cantharides. U. S. v. R. Hillier's Son Co. Plea of guilty. Fine, \$25. (F. & D. No. 1920. I. S. No. 15947-b.)

On June 26, 1912, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the